

Appl. No. 10/500,277
Reply filed on November 9, 2007
Reply to Office Action dated October 11, 2007

Attorney Docket No.1817-0150PUS1
Art Unit: 1641
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REMARKS

Claims 47-89 are pending in the present application.

The Examiner has required an election in the present application between:

Group I, claims 47-78, drawn to a biochip assembly (an apparatus); and

Group II, claims 79-89, drawn to a method of conducting an assay.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, claims 47-78.

Traversal

The Applicants respectfully submit that a serious burden has not been placed on the Examiner to consider all of the claims in a single application. The Examiner is respectfully requested to reconsider his restriction and act on all of the claims in the present application. If the Examiner persists in his restriction requirement, the Applicants reserve the right to file one or more divisional applications directed to claims 79-89 at a later date if they so desire.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Carl T. Thomsen (Reg. No. 50,876) at 703-208-4030, to conduct an interview in an effort to expedite prosecution in connection with the present application.

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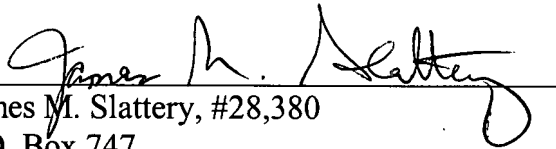
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: November 9, 2007

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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JMS/CTT/srm 